

MINUTES

May 17, 2005

The State Board of Registration for Professional Engineers and Land Surveyors met on May 17, 2005 in Conference Room 102 at the office of the Professional Licensing Boards, 237 Coliseum Drive, Macon, Georgia 31217.

BOARD MEMBERS PRESENT:

E. Charles Vickery, PE - Chairman
Richard K. Little, PE
Guy F. Ritter, PE
John H. Sweitzer, PE
Theodore W. Waddle, LS, PE
Gloria B. Ransom, Ph.D., Public Member

BOARD MEMBERS ABSENT:

William W. Dean, PE
Mark E. Chastain, LS
Doris I. Willmer, PE

STAFF PRESENT:

J. Darren Mickler – Board Executive Director
Julie Busbee – Board Secretary
Vivian Stephens – Board Application Specialist
Sharon Harrison – Compliance Secretary

ATTORNEY GENERAL REPRESENTATIVE:

Patricia Downing

GUESTS PRESENT:

Major Thompson, representing American Society of Civil Engineers (ASCE)
Hardwick Butler, representing Surveying and Mapping Society of Georgia (SAMSOG)

Call to order:

Chairman Vickery called the meeting to order at 9:35 am and presented a proposed agenda. Mr. Little moved to adopt agenda as presented. Mr. Waddle seconded. Motion carried.

Approval of Minutes:

Chairman Vickery asked for any additions or deletions to the minutes of the April 12, 2005 Board Meeting. Mr. Waddle moved to adopt the minutes as written. Mr. Ritter seconded. Motion carried.

Professional Societies and Guests

Chairman Vickery recognized the guests present: Major Thompson, representing American Society of Civil Engineers (ASCE) and Hardwick Butler, representing Surveying and Mapping Society of Georgia (SAMSOG.) Mr. Thompson commented that he and his colleagues were very disappointed to find that the Governor had recently vetoed House Bill 444, which would have changed education requirements for land surveyor and engineer candidates.

Executive Director's Report

Mr. Mickler reported to the Board about the 2005 NCEES Southern Zone Meeting, indicating that most issues that were discussed were administrative. Chairman Vickery interjected that there was a lot of discussion on the possibility of allowing applicants to sit for both the Fundamentals and Principles & Practices exams in the same offering. Another issue discussed was a proposed NCEES licensure model, adding a step for a "chartered engineer" with additional education requirements for professional engineer.

Old Business:

Professional Engineer Application:

Because of the absence of Ms. Willmer, this item was deferred to the next meeting.

2006 NCEES Southern Zone Meeting

Chairman Vickery led discussion on the plans for the 2006 NCEES Southern Zone Meeting to be held in Savannah May 4-6, 2006. He stated that he had issued a formal invitation to the attendees of the 2005 NCEES Southern Zone Meeting and showed a video presentation of Savannah. There was a positive reaction to the presentation and many expressed interest in attending. Mr. Mickler commented that he had set up plans for a golf tournament. Mr. Sweitzer commented that the weight of the planning for the meeting will fall on the Executive Director and staff and urged Board members to help as much as they can.

Task Force Assignment Reports:

There were none to report at this time.

Memo of Agreement with Environmental Protection Division (EPD)

Mr. Mickler stated that the memo of agreement with Environmental Protection Division (EPD) had been signed and sent to Carol Couch at EPD to sign.

June 2, 2005 Board Meeting in Calloway Gardens

Chairman Vickery led discussion regarding the Board Meeting to be held on June 2, 2005 in Calloway Gardens. Mr. Ritter presented a request from Mike Fisher, President of Structural Engineers Association of Georgia who asked to be placed on the agenda for the June 2 meeting regarding licensure as a Structural Engineer in Georgia. The Board agreed to add this to the agenda.

Expert Witness Definition

Mr. Ritter commented that he had a copy of the Attorney General's definition of Expert Witness. He said that an expert witness must be licensed in the appropriate discipline in any state and must have been licensed at the time that the incident occurred. Following discussion, this item will be placed on the June 2, 2005 Board meeting agenda to develop a Board policy.

New Business:

Commercial Building Inspections:

Mr. Little stated that he had received an e-mail from Mr. Ben Cox regarding a company offering training courses to Home Inspectors to become Commercial Building Inspectors. It was the consensus of the Board that inspection of commercial buildings is practicing engineering. Mr. Ritter moved for Chairman Vickery to appoint Mr. Little to draft a policy to become a rule regarding the Board's requirements of Commercial Building Inspectors. Dr. Ransom seconded. Motion carried.

Renewal Late Fee Waiver Requests:

Mr. Mickler presented three letters of request for a waiver of the late fee for renewals. One of the requests indicated that the licensee had contacted the Board in January and requested a paper renewal form. Dr. Ransom moved to waive the late fee for this licensee. Mr. Ritter seconded. Motion carried.

The second request indicated that the licensee had moved and requested the waiver after January 31. Dr. Ransom moved to deny the late fee waiver request for this licensee. Mr. Ritter seconded.

The third request indicated that the licensee had extenuating circumstances with deaths in the family. Mr. Sweitzer moved to deny the late fee waiver request for this licensee. Mr. Little seconded. Motion carried.

Executive Session:

At 10:50 am, Mr. Ritter moved for the Board to enter into Executive Session to deliberate on applications and enforcement matters and to receive information on complaints and investigative reports. Mr. Little seconded. Motion carried.

The following Board members were present during Executive Session – Chairman Vickery, Mr. Sweitzer, Mr. Little, Mr. Ritter, Dr. Ransom and Mr. Waddle.

Reconvened Open Session at 11:45 am with the following Board members present - Chairman Vickery, Mr. Sweitzer, Mr. Little, Mr. Ritter, Dr. Ransom and Mr. Waddle.

Investigations and Complaints:

PELS020144 – This case involved allegations of one Professional Engineer being in responsible charge of more than one firm. Mr. Ritter moved to close the case with no violations found. Mr. Waddle seconded. Motion carried.

PELS050082 and PELS050083 – These companion cases involved allegations of unlicensed practice of professional engineering by an individual and a firm. Mr. Ritter moved to close the case as resolved. Mr. Little seconded. Motion carried.

PELS050075 – This case involved an engineering firm with no Certification of Authorization. Mr. Ritter moved to issue a Consent Order with \$500 penalty and public reprimand to the Professional Engineer involved and not accept a Cease and Desist Order signed by the office manager. Dr. Ransom seconded. Motion carried.

PELS020147 – This case involved plan-stamping by a Land Surveyor who had been issued a Consent Order with a penalty of \$1000 and counter-offered a reduced penalty of \$250. Mr. Ritter moved to accept the counter-offer. Mr. Waddle seconded. Motion carried, with Mr. Little opposed.

Mr. Ritter moved to accept a signed Voluntary Cease and Desist Order from Eric Sluder for unlicensed practice of professional engineering. Dr. Ransom seconded. Motion carried.

Mr. Ritter moved to accept a signed Consent Order with one year probation and a public reprimand from Charles C. Jordan, PE017692 for being sanctioned by another state Board. Dr. Ransom seconded. Motion carried.

Mr. Ritter moved to accept a signed Consent Order with one year probation and a public reprimand from Adrian Enzastiga, PE016054 for being sanctioned by another state Board. Dr. Ransom seconded. Motion carried.

Mr. Ritter moved to accept a signed Consent Order with one year probation and a public reprimand from James M. Purdy, PE009034 for being sanctioned by another state Board. Dr. Ransom seconded. Motion carried.

Mr. Mickler presented a letter of request from Paul A. Davis, LS002587 requesting exemption of renewal fees because of severe injuries. Mr. Ritter moved for Chairman Vickery to direct Mr. Mickler to compose and send a letter to Mr. Davis offering the possible option of Inactive Status due to medical disability and consequences of allowing a license to lapse. Dr. Ransom seconded. Motion carried.

Board Memo Comity Model Law Applicants:

Applicants for registration as Professional Engineers by comity, who have an ABET engineering degree, who have taken and passed an 8-hour fundamentals of engineering (EIT/FE) exam, who have a minimum of 48 months post graduation engineering experience as determined by a staff evaluation using the present Board guidelines, who have taken and passed an 8-hour principles and practice of engineering exam (PE Exam-taken at least 4 years after BS degree), and who comply in every way with the provisions of the appropriate law are as follows:

30269 Rennert, Ronald S.	30270 Busse, Brayn J	30271 Cuevas, Gabino
30272 Demana, Mark A.	30273 Griffin, Jason W.	30274 Mitchell, Ralph J. III
30275 Evans, Edgar J.	30276 Pigg, Jimmy W.	30277 Ranalli, Steven P.
30278 Rothberg, Owen O.	30279 Thompson, James D.	30280 Thibodeaux, Hilary J
30281 White, Benjamin W.	30282 Stone, Richard C. Jr.	30283 Brunette, Patrick T.
30284 Canup, David E. Jr.	30285 Carlson, Kevin G.	30286 Eisenman, T. James Jr.
30287 Ferguson, Steven M.	30288 Heyer, Jaems M.	30289 Kennedy, Andrew K
30290 McCoy, Todd G.	30291 McMillan, Rodney D.	30292 O'Brien, Patrick S.
30293 Payne, Timothy A	30294 Ramsey, Paul G.	30295 Vossmeier, Thoms M.
30296 Webster, James W. Jr.	30297 Welch, Kenneth R.	30298 Whisler, Matthew D.
30299 Brown, John H.	30300 Stidham, Gregory	30301 Slagle, Charles B.
30302 Bockisch, Jay S.	30303 Fults, Matthew W.	30304 Gilvary, Kenneth R.
30305 Gordon, Bradley A.	30306 Haggett, Douglas N.	30307 Hamilton, Phillip G. Sr.
30308 Harvey, Kenneth R.	30309 Henderson, Brian W.	30310 Leathers, Francis D.
30311 Logan, Mark A.	30312 Magley, Darren W.	30313 Malicoat, Freddie I.
30314 Perry, Robert R.	30315 Rettig, William B.	30316 Rod, Delphine J.
30317 Shade, Bradley R.	30318 Steiner, Donald F.	30319 Stewart, Chad E.
30320 Van Duijvendihk, John M.	30321 Abkemeier, Thomas J	30322 Budiman, Junaidie
30323 Campbell, John C.	30324 Cox, Jonathan K.	30325 Crouch, Russell L
30326 Emmel, Gary P.	30327 Fogelberg, Todd W.	30328 Burton, Bradford L
30329 Christofidis, Michael	30330 Spillett, Kenneth B.	30331 Hoffmann, Garret W.
30332 Homelvig, Adam K.	30333 Huskey, David G.	30334 McCombs, Robin S.
30335 Nicolai, Samuel C.	30336 Tucker, Joseph E. III.	30337 WEbert, Michael A.
30338 Williams, Larry B.		

Motion was made by Mr. Little to approve these applicants for PE registration by comity @ 43-15-16(a), via 43-15-8(1) and 43-15-9(1). The motion was seconded by Dr. Ransom. The motion carried.

Reinstatements:

Mr. Sweitzer moved to reinstate the following Professional Engineers' licenses:

Stoy F. Marlow, PE021056
Andrew W. Loven, PE010381

Dr. Ransom seconded. Motion carried.

Mr. Sweitzer moved to deny reinstatement to Fred A. Sunday, Jr., PE020476. Dr. Ransom seconded. Motion carried.

There was discussion regarding application review. Mr. Ritter recommended that the Board members not review applications while the meeting is in progress. Chairman Vickery stated that he would attempt to end meetings by 3:00 pm so that Board members would have time in the afternoon to review applications.

There being no further business, at 12:25 pm, Mr. Little moved to adjourn. Mr. Waddle seconded. Motion carried. Some Board members remained to review applications until they were finished.

Board Chairman

Division Director

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